

Patent US 200C3
Attorney Docket: 032,290-008
[formerly 1000-7]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FULTON III et al.

Serial No.: 09/996,878

Filed: November 30, 2001

For: **BIOPSY LOCALIZATION
METHOD AND DEVICE**

Group Art Unit: 3736

Examiner: Brian S. Szmal

TRANSMITTAL LETTER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed June 4, 2004, in the above patent application, the following documents are enclosed:

1. Amendment and Response under 37 C.F.R. §1.116; and
2. Receipt verification postcard.

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SEP 15 2004

TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

September 7, 2004
Date of Deposit

Cynthia B. Pacheco
Cynthia B. Pacheco

3. Fees for claims:

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

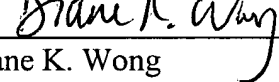
| Claims | No. Previously Paid For | | Claims Remaining | | No. to be Paid For | | Large Entity Fee | Additional Fee Due |
|--|----------------------------|--|---------------------|---|-----------------------|---|---------------------|-----------------------|
| Total | 25 | - | 25 | = | 0 | x | \$18.00 | \$0.00 |
| Independent | 3 | - | 1 | = | 0 | x | \$86.00 | \$0.00 |
| Multiple Dependent | 0 | (if applicable) <input type="checkbox"/> | | | | | \$290.00 | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | | | | | \$0.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. <input type="checkbox"/> | | | | | | | | \$0.00 |
| TOTAL FEES FOR CLAIMS SUBMITTED HERewith | | | | | | | | \$0.00 |

4. Applicant is other than a small entity. If an extension of time is required, please consider this a petition therefor. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: September 7, 2004

By: 
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AF 61

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AMENDMENT AND RESPONSE UNDER 37 CFR §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed June 4, 2004, please amend the above-referenced application as follows.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 7 of this paper.

Remarks begin on page 14 of this paper.

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IR1:1057715.2